IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 7500 of 2004

Between:

1 Mir Jaffar Ali Khan, s/o Mir Ahmad Ali Khan, Occ:Business, R/o 20-3-123/5/C/8, Dood Bowli, Hyderabad.
2 Qutubunnisa Begum, d/o Mir Jaffar Ali Khan, Being minor rep., by her natural father and next friend, Jaffar Ali Khan, r/o 20-3-123/5/C/8, Doodboli, Hyderabad.

... PETITIONERS

AND

1 The Commissioner of Police, Basheerbagh, Hyderabad.
2 The Station House Officer, Chandrayanagutta P.S.,Hyderabad.
3 Ramanjaneyulu, Circle Inspector of Police, Chandrayanagutta, Hyderabad.
4 Smt.Farah Akhter Chowdary, w/o Syed Shabbir Ahmed, Occ:household, r/o H.No.17-9-158, Yakutpura, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or any appropriate writ or writs or direction/s more particularly in the nature of writ of mandamus declaring the action of the respondent no.3 in interfering with the civil rights of the petitioners in respect of the schedule property bearing municipal No.18-13-9/24/4/3, admeasuring 130 sq.yds., situated at Rajiv Gandhinagar, Bandlaguda, Hyderabad locking the premises as illegal, arbitrary and unconstitutional and consequently direct the 3rd respondent not to interfere with the petitioners possession over the schedule property and forthwith release the keys of the schedule property to the petitioners

Counsel for the Petitioner: MR.B.VIJAYSEN REDDY
Counsel for the Respondents 1 & 2: GP FOR HOME

The Court made the following order:

ORDER:

-

-

Petitioner states that the Circle Inspector of Police, Chandrayanagutta, Hyderabad is interfering with the civil rights of the petitioner in respect of the schedule property bearing Municipal No: 18-13-9/24/4/3, admeasuring 130 Sq.yds situated at Rajiv Gandhinagar, Bandlaguda, Hyderabad, locking the premises illegally and arbitrarily.

Counter has been filed stating that the police never visited the schedule property and never interfered with the life and liberty of the petitioner and his family members in respect of the said property. Petitioner was not at all detained as alleged by him. It is stated that the petitioner and one M.A.Sattar were found quarrelling on 29.01.2004 at 13.00hrs and in that connection, Petty Case Nos.27 & 28 of 2004 for the offences under Section 70 (B) of Commission of Police Act were booked against them and they were released on production of self-surety by themselves. The above said cases are pending on the file of XIV Metropolitan Magistrate Court, Hyderabad. Apart from that the police never interfered with the personal life and liberty of the petitioner.

In view of the aforesaid categorical denial of the allegations by the respondents that the police have neither interfered with the property of the petitioner bearing Municipal No.18-13-9/24/4/3 situated at Rajiv Gandhinagar, Bandlaguda, Hyderabad nor locked the said premises at any point of time, I am of the opinion that no further orders require to be passed in the writ petition.

Accordingly, the writ petition is closed. No costs.

V. ESWARAIAH, J

April 5, 2005

Dsk

To

1 The Commissioner of Police, Basheerbagh, Hyderabad.
2 The Station House Officer, Chandrayanagutta P.S.,Hyderabad.
3 Ramanjaneyulu, Circle Inspector of Police, Chandrayanagutta, Hyderabad.

4 Two CCs to GP For Home, High Court Buildings, Hyderabad (OUT)

Two CD Copies.